



## **D.C. REAL ESTATE BOARD SPECIAL REPORT: Fair Housing -- Real Estate Guidelines for Licensees and Consumers**

**D.C. Real Estate Board  
H.R. Crawford, Chairman**

### **The Future**

**Imagine . . . In the New Millennium--that an advertisement freely publishes a preference or a limitation for housing applicants . . . or that a friend of yours is denied an application for an apartment -- because of the skin color . . . or that your credit score was 880 but you were still denied credit because you wanted to live in Upper Northwest D.C., Potomac, Md., or Vienna, Va.**

The reality is that housing discrimination is alive and well in the nation's capital. Yet, in the District of Columbia, which prides itself as being a center of multicultural activities, a hub of the performing arts, and an area filled with a diverse population, there exists housing inequities—often a shameful reminder of the past.

Fair housing discrimination has a long history, dating back to the early colonial settlements. Even though there have been monumental civil, social and ideological advances in America, basic rights in the housing industry are still being violated. Evidence in the courts shows that people of every generation and economic stratum—the rich and the poor, alike—experience fair housing violations.

### **Fair Housing and the D.C. Real Estate Agent**

Federal and local fair housing legislation have empowered the courts in the enforcement arena. The D.C. Real Estate Board may revoke, suspend or otherwise restrict an agent's license if a violation is substantiated.

Yet, some agents continue to jeopardize their license when making subtle or overt discriminatory statements when showing homes for sale or rental, assisting potential homebuyers in attaining mortgage loans, and even in homebuying counseling sessions.

Constitutional amendments, executive orders, rehabilitation and housing development acts provide clear instruction. So, licensees must remain committed to providing the homebuying, rental or leasing consumer with services that are consistent with the function and essence of the fair housing nondiscriminatory laws. D.C. real estate licensees can be fined as much as \$2500 per violation for noncompliance.

### **D.C. Real Estate Licensees Play an Important Role in Fair Housing Success**

Knowing what classes are protected by fair housing laws will assist D.C. real estate licensees in avoiding discriminatory practices. Fair housing discrimination is illegal when the rental or sale of housing accommodations and /or commercial space is based on any of the following categories:

- Age • Color • Family responsibilities • Marital status • Matriculation • National origin •  
Personal appearance • Physical handicap • Place of residence or business
- Political affiliation • Race • Religion • Sex • Sexual Orientation • Source of income

## Education Requirements for Licensure of D.C. Real Estate Agents

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Licensed brokers, property managers, and salespersons are mandated by the D.C. municipal regulations to take 3.0 hours of fair housing every two-year licensing cycle. A certified fair housing instructor approved by the D.C. Real Estate Board must teach the course.

In addition to this requirement, agents licensed in other jurisdictions desiring licensure in the District must take a D.C.-certified fair housing course prior to applying for licensure. Fair housing instruction is also part of the requirements for prelicensure.

### National Real Estate Organizations Promote Fair Housing

The emphasis on fair housing is not isolated. ARELLO (Association of Real Estate License Law Officials) offers fair housing certification courses for instructors and licensees. The highly acclaimed courses provide continuing education and help ensure that states keep abreast of current issues that affect fair housing, such as advertising, disclosure laws, liability and protected classes.

In addition, NAREB (National Association of Real Estate Brokers) and NAR (National Association of Realtors) and are involved in promoting fair housing among Realtists and Realtors nationally.

### DEFINING BASIC DISCRIMINATORY TERMS

- Blockbusting:** This violation occurs when a real estate agent implies to a client or potential client that people of certain ethnic origins live in a neighborhood, thereby discouraging or encouraging a sale, rental, or lease.
- Steering:** This violation occurs when a real estate agent points a potential client in the direction of areas where groups similar in ethnicity to their client lives or rents.
- Redlining:** This violation is specific to mortgage lenders. The violation occurs when a moneylender offers or denies credit to an ethnic group based on where they desire to live.

### How Agents Can Maintain Fair Housing in Everyday Practices

- ❖ Develop a written policy. Remind yourself and other agents of it at weekly or monthly meetings.
- ❖ Review the D.C. Code of Ethics frequently, and openly discuss how discriminatory housing practices can be eliminated.
- ❖ Seek homebuyers and renters of diverse populations; develop deliberate nondiscriminatory procedures for offices.

This publication is not a part of, and does not change the terms of any fair housing laws. It is for information only, but remember to contact the HUD Fair Housing Hotline (800) 669-9222 if you feel you have been discriminated against. Visit the D.C. Real Estate Board website at [www.dkra.org](http://www.dkra.org) or contact Schanolia Barnes, Education Specialist for the Real Estate Board and Chairman of the ARELLO Fair Housing Committee, on (202) 442-4340 for more information.

**If You Think it's OK to Violate the Fair Housing Law—Think Again!**